

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

DAVID B. COUNTRYMAN (CSBN 226995)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7303
email: david.countryman@usdoj.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATHANIEL GARDNER,

Plaintiff,

v.

THE UNITED STATES DEPARTMENT
OF JUSTICE; THE DRUG
ENFORCEMENT ADMINISTRATION'
and THE PERSON(S) CURRENTLY ON
RECORD TITLE TO 1955 FORD
THUNDERBIRD VIN. # P5FH235863,

Defendants.

No. CV 08-01248 VRW

DECLARATION OF ANDREA HOWARD

I, Andrea Howard, declare and state as follows:

1. I am a Property Management Specialist with the United States Marshal's Service ("USMS"), and I have been so employed for 20 years. I am currently assigned to the USMS Asset Forfeiture Unit in San Francisco. I was assigned to the administrative forfeiture and disposition of one 1955 Ford Thunderbird, VIN # P5FH235863 (hereafter the "Vehicle"). I make this declaration based upon reports and documents I have read, my own personal knowledge and information available to me in my official capacity.

DECLARATION OF ANDREA HOWARD

[CV 08-01248 VRW]

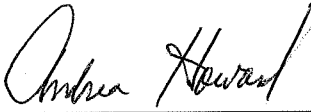
1
2 2. On March 10, 2006, the DEA instructed the USMS to sell the Vehicle. Please find a copy
3 of the Status Inquiry Report for the Vehicle attached hereto as **Attachment A**.

4 4. On May 13, 2006, pursuant to receipt of the Declaration of Forfeiture dated March 3,
5 2006, the Vehicle was sold at public auction for \$23,000. Please find a copy of the USMS
6 Seized Property and Evidence Control Form (USM-102) and Declaration of Forfeiture for the
7 Vehicle attached hereto as **Attachment B**.

8 5. The Vehicle is no longer in the possession of the government.

9
10 I declare under penalty of perjury that the foregoing is true and correct.

11
12 Dated: *May 2, 2008*

13 
14 _____
15 Andrea Howard,
16 Property Management Specialist, USMS
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF ANDREA HOWARD

[CV 08-01248 VRW]

ATTACHMENT A

**Status Inquiry**

The selected record has been displayed. 91014

* Go To

Status Inquiry

Asset ID: 05-DEA-456249		Seizure No: N-60		Case No: R3-05-0037	
Asset Description: 1955 Ford Thunderbird					
Asset Information					
Asset Value: \$19,194.00		Seizure Date: 08/09/2005			
Asset Type: Vehicles		Adoption Date:			
FIRE Begin Date:		FIRE End Date:			
Seizing Office: San Francisco, CA Field Office					
Sub-Office: San Francisco, CA MET					
Seizure District: Northern District of California					
Seized From: Gardner, Nathaniel Willie Gardner AKA Nathan Willie					
Quick Release: N		Hold as Evidence: N			
Electronic Transfer: N		Forfeiture-Dependent Award: N			
Victims Anticipated: N		Parties Exist: Y			
Custodial Agcy: United States Marshals Service				Cur Storage Start Dt: 09/09/2005	
Disposal Type: Sold/Liquidate				Final Disposal Date: 05/13/2006	
Forfeiture Information					
Court Case No:				USAO No:	
Processing Dist: Northern District of California				Referral Date:	
Forfeiture Dcsn: Approved				Forfeiture Type: Administrative	
Forf Dcsn Date: 03/06/2006				Delay Forfeiture: N	
Parallel Processing: N				Forfeiture Dcsn Entry Date: 03/10/2006	
Abandonment Declared Date:					
Disposal Information					
Disposal Instruction:					
Item No	Instr Date	Disposition Decision	Item Description		
0	03/10/2006	Sell/Liquidate	1955 Ford Thunderbird		
Disposal Data:					
Item No	Disp Date	Disposal Type	Disp Amount	Disp Value	
0	05/13/2006	Sold/Liquidate	\$23,000.00	\$19,194.00	
1955 Ford Thunderbird					
File Closure Information					
Case Closed Agcy:		USMS			
Case Closed Date:		08/28/2006			
Advertisement Information					
Agency	Ad Number	First Ad Dt	Claim Deadline Dt	Publication	
DEA	DEA837	09/26/2005	11/09/2005	Wall Street Journal	
Notification Information					
Address Type-Seq	Notice Type	Notified Dt	Return Receipt Dt	Claim Deadline Dt	Notification Status
888533 - Gardner, Nathaniel Willie					
P - 1	1396 Camellia Dr , East Palo Alto , CA 94303-2631				

ATTACHMENT B

UNITED STATES MARSHALS SERVICE

SEIZED PROPERTY AND EVIDENCE CONTROL FORM (USM-102)

District : CAN Northern District of California
 Sub-Office : 00 San Francisco, CA
 OIA Case Number : R3-03-0037
 OIA Agency : DEA
 Court Case Name :
 Court Case Number :
 Asset Identification : 05-DEA-456245
 Asset Value : \$19,194.00

Forfeiture Type : Administrative
 Gov't/Private : Government NASAF

Seizure Number : N-48
 Appraisal Date : 09/13/2005

VEHICLE DESCRIPTION	
Year	: 98
Make	: Ford
Model	: Thunderbird
Vehicle ID Number	: Y58E235863
Tag Number	: 1JUR540
State	: CA
4-Wheel Drive?	: N
Odometer	: 98,833
Asset Sub-Type	: 01 Passenger

COMMENTS INDICATORS	
Asset	: N
Special Equipment	: N
Damage	: Y

STORAGE LOCATION	
Provider Code	: 701978 5
Provider Name	: NATIONWIDE AUCTION SYSTEMS
Contact Name	: JOEY WILLIAMS
Phone Number	: 707-751-5163
Street Address	: ONE GATEWAY
City	: BENICIA
State	: CA
Zip Code	: 94510

CUSTODIAN INFORMATION	
Name	: United States Marshals Service
Contact Name	: JOEY WILLIAMS
Contact Title	:
Contact Phone Number	: 707-751-5163

I certify that I have received and hold myself accountable for the articles listed above:

Andrew Howard

Signature

Andrew Howard

(Print Full Name)

DEMS

(Agency)

05/09/2005

(Date of Custody)

CHAIN OF CUSTODY

Date	Relinquished By	Received By	Remark
5/13/06	Per DOJ dated 3/3/06		property sold at Nationwide Auction
	System for \$ 23,000.00		
5/19/06	Proceeds of Sale for \$ 23,000.00		sold 5/13/06, from Nationwide
	Auction Sys received and deposited in 1565042 9002		-AFF 8299654.

MAR-22-2006 10:40

DRUG ENFORCEMENT ADMIN:

415 436 7890 P.03

-2-

Asset ID: 05-DEA-456249 Case #: R3-05-0037
Asset Description: 1955 Ford Thunderbird
Vehicle ID#: P5FH235863
Seizure Date: 08/09/05 Seizure Value: \$20250.00
Seizure Place: East Palo Alto, CA
Owner Name: Nathaniel Willie Gardner
Seized From: Nathaniel Willie Gardner AKA Nathan Willie Gardner
Judicial District: Northern District of California

cc: DO: San Francisco
RO:
USMS: San Francisco

NO POSTHUMOUS
INFLUENCE
LAWYER

06 MAR 21 PM 2:01

DEA.294 (JAN. 01)

By: LR

Ad Code #: 837

MAR-22-2006 10:40

DRUG ENFORCEMENT ADMIN.

415 436 7890 P.02



U. S. Department of Justice
Drug Enforcement Administration

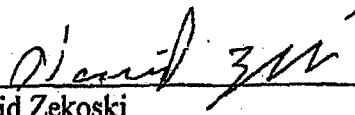
RECEIVED
 06 MAR 21 AM 10:44
 SAN FRANCISCO, CA.

RECEIVED
 UNITED STATES MARSHAL
 06 MAR 22 AM 10:13
 NORTHERN DISTRICT
 OF CALIFORNIA

Asset ID: 05-DEA-456249 Case #: R3-05-0037
 Asset Description: 1955 Ford Thunderbird
 Vehicle ID#: P5FH235863
 Seizure Date: 08/09/05 Seizure Value: \$20250.00
 Seizure Place: East Palo Alto, CA
 Owner Name: Nathaniel Willie Gardner
 Seized From: Nathaniel Willie Gardner AKA Nathan Willie Gardner
 Judicial District: Northern District of California

DECLARATION OF FORFEITURE

The above-described property has been seized by agents of the **DRUG ENFORCEMENT ADMINISTRATION** pursuant to 21 U.S.C. Section 881. Notice of the seizure has been sent to all known parties who may have a legal or possessory interest in the property. Also, in accordance with 19 U.S.C. Section 1607, notice of the seizure has been published and no claim has been filed for the property within 30 days from the date of last publication of the advertisement. On this date, I have examined this matter, and found that there was sufficient information to support the forfeiture of this property. **THEREFORE**, it is hereby declared that such property is forfeited to the United States pursuant to 19 U.S.C. Section 1609.


 David Zekoski
 Senior Attorney
 Asset Forfeiture Section

Date **MAR 03 2006**

05 MAR 21 PM 2:01
 SAN FRANCISCO, CA
 RECEIVED